

West Virginia Controlled Substance Drug Monitoring Program

2013 Annual Report

Executive Summary

As required by §60A-9-5(j), the West Virginia Controlled Substance Monitoring Program (CSMP) is providing the following Annual Report. This report is intended to give a brief history of the monitoring program, highlight the accomplishments of the CSMP, provide statistical information as it relates to its usage and outline intended future outcomes. This report will also recommend legislation to enhance the CSMP, in an attempt to: reduce the quantity of pharmaceutical controlled substances obtained by individuals attempting to engage in fraud and deceit; increase coordination among participating partners; involve stakeholders in achieving improved patient health care and safety; and reduce prescription drug diversion.

Background

A prescription monitoring program (often referred to as a PMP) is an electronic database that collects designated data on controlled substances dispensed or prescribed within a given state. The data collected usually includes the names and contact information for the patient, prescriber, and dispenser; the name and dosage of the drug; the quantity supplied and the number of authorized refills. Other information now recommended includes name and contact information of individual picking up prescription and the method of payment.

PMPs are established and managed at the state level and can vary considerably from state to state. Some areas of variation include:

- **Substances monitored.** Some PMPs monitor only Schedule II drugs (i.e. those with a high potential for abuse), while others monitor Schedules III through V (i.e. those with a lower potential for abuse) in addition to Schedule II drugs. Still others will additionally track other non-controlled drugs that may be subject to abuse (such as tramadol). West Virginia monitors Schedule II, III and IV controlled substances.
- **Level of access.** Some PMPs allow indirect access via a report in response to a request from law enforcement as a part of an active investigation; others require law enforcement to obtain a court order or subpoena to access data; and others, like West Virginia, allow certain limited law enforcement to access the database directly.
- **Timeliness of data.** Most PMPs require monthly, bi-weekly or weekly reporting, however a few states (like West Virginia) require daily reporting. One state, Oklahoma, now requires reporting at time of sale, and is currently evaluating its efficacy. West Virginia is currently running a real-time reporting pilot in one store.

West Virginia's Controlled Substance Monitoring Program History

The West Virginia Controlled Substance Monitoring Act (CSMA) was implemented in 1995, to track only Schedule II controlled substances. The CSMA was modified and renamed the West Virginia Controlled Substance Monitoring Program (CSMP) by the 2002 West Virginia Legislature, as an initiative to

encourage safer prescribing of all controlled substances in Schedules II, III and IV, to reduce their abuse and limit the diversion of those substances within the State. Article 9 of Chapter 60A created the CSMP within the West Virginia Board of Pharmacy, for the purpose of recordation and retention of information regarding the prescribing, dispensing and consumption of certain controlled substances. Beginning on September 1, 2002, the Board of Pharmacy revised this program, which established a central repository that contains information relating to all Schedule II, III, and IV controlled substance prescriptions that were dispensed in or into the State. This information submitted by medical service providers, health care facilities pharmacists and pharmacies through a third-party data collector contracted by the Board of Pharmacy included all applicable patient information, required controlled substance descriptions and prescription details. In December, 2004, the Board of Pharmacy implemented further changes to the CSMP to eliminate the third-party data collector and to permit both direct and reporting and direct access via an internet-based program.

In 2005, the Methamphetamine Eradication Act required that certain over-the-counter products that contain pseudoephedrine or ephedrine (PSE) be made available only from a pharmacy. There were a number of restrictions placed on PSE products that included recording purchase information in the West Virginia CSMP, limiting the amounts of PSE products that individuals may purchase, requiring a current form of identification and requiring purchasers to be at least eighteen. This was implemented in 2006, and continued through 2012. After January 1, 2013, all PSE transactions were no longer reported to the WV CSMP, but instead to a national real-time tracking system known as the National Precursor Log Exchange, or NPLEx.

On July 1, 2013, the WV Board of Pharmacy began operation of a new controlled substance monitoring program. The ASAP 4.2 format being utilized by the new system is the most current version used by any PMP in the country. The newer format was required in order for the WV CSMP to connect to the national hub, so that users can see other participating state's prescription information from a single log on point. This national PMP connection is expected to be completed in early 2014. Our system is currently capturing all aspects required as a result of Senate Bill 437, including 24 hour reporting, the method of payment and identification for individuals picking up prescription for someone else. The new program is completely separate from the previous one, so each user had to complete an on-line registration and authentication process, during which prescribers and dispensers were able to access patient profiles via either of the programs. After working out some technical issues, the old program was turned off and all of the old data was merged into the new program so that request results are seamless in the reporting format. In addition to the new fields being collected, there are new functions that are being developed for use by the Controlled Substance Monitoring Program Advisory Committee and the Controlled Substance Monitoring Program Database Review Committee.

West Virginia's Controlled Substance Monitoring Program Description and Reporting

The West Virginia Controlled Substance Monitoring Program (CSMP) is a central repository, maintained by the West Virginia Board of Pharmacy, for collected data related to the prescription and dispensing of all Schedule II, II and IV controlled substances. Contracts with Mahantech Corporation are in place to administer the CSMP and to manage the collection of this data. Program staff, consisting of an administrator and a clerk, oversees the day-to-day operation of the CSMP, act as liaisons with the

software vendor, seek grant funding to support the CSMP, and provide administrative support to the West Virginia Board of Pharmacy.

Each time a controlled substance is dispensed to an individual, it must be reported to the CSMP by the medical services provider as soon as possible, within 24 hours. The CSMP offers direct, internet-based, electronic data transfer, or by other means promulgated by the West Virginia Board of Pharmacy, to report this information. Each time a controlled substance prescription is dispensed, the following information must be reported as applicable:

- Name of the prescribing practitioner, address and the prescribing practitioner's federal Drug Enforcement Administration (DEA) number;
 - Date the prescription was filled/dispensed;
 - Number of refills, if any, authorized by the prescription;
 - Source of payment;
 - Patient's full name, address and date of birth;
 - Name, National Drug Control (NDC) number, quantity and strength of the controlled substance dispensed;
 - Full name, DEA number and address of the dispensing pharmacy; and
 - Other appropriate identifying information as determined by the West Virginia Board of Pharmacy.
- Reporting is not required for a drug administered directly to a patient or a drug dispensed by a practitioner at a state licensed facility; provided that the quantity dispensed is limited to an amount adequate to treat the patient for a maximum of 72 hours.

As required by West Virginia Code §60A-9-5(a), information contained in this central repository is confidential, and is open to inspections by inspectors and agents of the Board of Pharmacy, specific law enforcement members, agents of the Bureau of Medical Services, agents of the Office of the Chief Medical Examiner, agents of medical licensing boards in this state and other states, prescribing practitioners and pharmacists, and persons with an enforceable court order or regulatory agency administrative subpoena. All information released by the Board of Pharmacy must be related to a specific patient or a specific individual or entity under investigation by any of the parties. Practitioners who prescribe or dispense may also receive specific data for purposes of treatment of a patient. To access the CSMP, users must complete a user request form, and have their information validated. Once the identification and other records are confirmed, the user will receive a username and password that they must utilize to log into the CSMP database. All information regarding each login is recorded and can be retrieved in the event of an audit or investigation.

WV Controlled Substance Monitoring Program Advisory and Database Review Committees

Another component of Senate Bill 437, was the creation of the WV CSMP Advisory Committee and the WV CSMP Database Review Committee. These committees were established to study and address ways to reduce the inappropriate use of prescription drugs in this state. The Advisory Committee has been formed, a chairman and vice-chairman have been named and regular meetings have been held over the past year. Various topics have been discussed, a number of different data searches have been requested, and some parameters have been determined, in an attempt to identify abnormal or unusual patient practices. It has recommended a number of different changes in legislation, determined by

the committee to have the potential to reduce diversion of controlled substances, as well as provide support for other topics that are likely to be considered in the upcoming session. The CSMP has generated a list of patients who have visited a seemingly excessive number of prescribers (currently 13 or more), and received controlled substance prescriptions, all in a 12 month period. The Board of Pharmacy has sent hundreds of unsolicited reports to these prescribers, notifying them of their patients who had met this threshold, to make them aware of the concern of possible prescribing and dispensing issues.

The Database Review Committee has also been formed, and has met, but its activities have been limited by the delays in the new database. They have been provided some statistics regarding patient dispensings and physician prescribing practices, and are preparing to address data regarding drug related deaths in the state. It will review and address a number of specific cases and incidents in their next meeting, which will be scheduled early next year.

West Virginia's Controlled Substance Monitoring Program Statistics

2013 Total WV Prescriptions	Processing
2012 Total WV Prescriptions	5,129,031
2011 Total WV Prescriptions	5,213,830
2010 Total WV Prescriptions	5,217,001
2009 Total WV Prescriptions	5,308,365
2008 Total WV Prescriptions	5,224,985
2007 Total WV Prescriptions	4,788,758
# CSMP Queries Processed (First 3 months of new system)	560,809
# CSMP Queries Processed (2012)	891,205
# CSMP Queries Processed (2011)	663,423
# CSMP Queries Processed (2010)	597,479
# CSMP Queries Processed (2009)	555,029
# CSMP Queries Processed (2008)	436,491
# CSMP Queries Processed (2007)	315,715
Administrators with Access (LE, Licensing Boards, etc.)	52
WV Prescribers Eligible to Access CSMP	9,516
WV Pharmacies Eligible to Access CSMP	625
Mail-Order Pharmacies Eligible to Access CSMP	641
Total WV-Resident Pharmacists	2,207
Total Pharmacists	3,825

TOP PRESCRIBERS (2008 – PRESENT)

NAME	2008	2009	2010	2011	2012	2013*	TOTAL
1. PRESCRIBER	8,529	14,003	30,728	39,072	41,095	37,831	171,258
2. WVU HOSPITAL	46,014	46,794	44,505	42,292	37,382	31,681	248,668
3. PRESCRIBER	22,218	26,878	34,754	36,113	38,057	30,266	188,286
4. PRESCRIBER	26,054	27,960	32,308	34,449	33,637	25,738	180,146
5. PRESCRIBER	21,694	22,676	23,095	22,969	24,406	24,021	138,861
6. CAMC	26,669	28,038	28,072	28,192	28,702	23,563	163,236
7. PRESCRIBER	12,030	14,668	17,575	18,345	21,341	19,399	103,358
8. PRESCRIBER	10,866	14,317	15,287	15,974	20,122	18,686	95,252
9. PRESCRIBER	13,478	16,835	19,987	21,012	20,174	18,357	109,843
10. PRESCRIBER	14,648	15,233	15,343	15,491	18,841	16,766	96,322
11. PRESCRIBER	16,249	16,957	18,205	14,765	14,684	16,018	96,878
12. PRESCRIBER	29,921	20,584	36	12,423	30,351	15,653	108,968
13. PRESCRIBER	15,075	15,912	15,567	15,536	16,227	15,202	93,519
14. PRESCRIBER	7,122	12,582	13,284	15,052	17,111	14,811	79,962
15. PRESCRIBER	15,886	17,797	18,757	18,347	17,745	14,739	103,271
16. PRESCRIBER	8,750	12,020	16,408	20,041	23,632	14,514	95,365
17. PRESCRIBER	13,047	15,431	17,200	16,079	14,380	11,675	87,812
18. MARSHALL H	20,140	18,069	15,930	13,988	14,298	10,883	93,308
19. PRESCRIBER	16,954	24,182	20,829	18,779	15,734	10,348	106,826
20. PRESCRIBER	11,837	17,544	18,858	17,491	12,862	10,044	88,636
21. PRESCRIBER	12,005	17,478	17,406	13,706	16,027	9,304	85,926
22. PRESCRIBER	17,797	17,605	16,500	14,627	10,659	6,547	83,735
23. PRESCRIBER	16,364	17,629	17,776	16,765	5,117	4,712	78,363
24. PRESCRIBER	68,045	57,167	5,075	1	0	0	130,288

*Ranked by 2013 statistics, through 11/30/2013

MULTIPLE PRESCRIBER PATIENTS (12 MONTH PERIOD)

Number of Patients**	Patient Total	Prescriber/Patient Relationships***	Prescriber Count*	Prescriber/Patient Relationships Total
1	1	29	29	29
1	2	27	27	56
2	4	52	26	108
3	7	72	24	180
2	9	46	23	226
3	12	66	22	292
6	18	126	21	418
3	21	60	20	478
3	24	57	19	535
9	33	162	18	697
14	47	238	17	935
20	67	320	16	1,255
21	88	315	15	1,570
30	118	420	14	1,990
66	184	858	13	2,848
80	264	960	12	3,808
153	417	1,683	11	5,491
287	704	2,870	10	8,361
451	1,155	4,059	9	12,420
805	1,960	6,440	8	18,860
1,540	3,500	10,780	7	29,614
3,430	6,930	20,580	6	50,220

*Number of different prescribers the patient has seen and been prescribed a controlled substance

**Number of patients receiving prescriptions from that many different prescribers in a 12 month period

***Number of different prescribers multiplied by total number of patients at that count